

UNITED STATES DISTRICT COURT
FOR OREGON
EUGENE DIVISION

FILED DEC 7 11 11:03 U.S.D.C. ORE

HONORABLE JUDGE MICHAEL R. HOGAN

Lawrence James Saccato
Plaintiff ProSe'

Vs.

U.S. Bank National Association N.D.
Co-Defendant

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Case No:10-CV-06244-HO

PLAINTIFF'S SEPARATE
STATEMENT OF UNDISPUTED
MATERIAL FACTS IN SUPPORT
OF MOTION FOR SUMMARY
JUDGMENT

**PLAINTIFF'S SEPARATE STATEMENT OF UNDISPUTED MATERIAL
FACTS IN SUPPORT OF MOTION FOR SUMMARY JUDGMENT**

Plaintiff, Lawrence James Saccato respectfully submits the following Statement of Undisputed Material Facts in support of his motion for summary judgment, pursuant to FRCP Rule 56 (c)(1)(A):

Moving Party's Undisputed Material Facts and Supporting Evidence:

1. Plaintiff is a Consumer protected by the law under the Fair Credit Reporting Act 15 USC § 1681, et seq.
2. Defendant is a Credit Lender and as such governed under the law by The Fair Credit Reporting Act 15 USC § 1681, et seq.

3. Plaintiff received a copy of his credit reports on or about June, 2009 and April, 2010 and discovered that Defendant has been reporting erroneous and inaccurate information to the Credit Reporting Agencies .
4. Plaintiff disputed the accuracy of the information to Equifax, Experian and Transunion on at least 2 occasions.
5. Plaintiff also disputed directly to the Defendant US Bank on or about June 15, 2009 and on or about April 15, 2010.
6. The Defendant failed to complete the proper investigation or reinvestigation as required when contacted by the credit reporting agencies.
7. The Defendant failed to notify the Credit Reporting Agencies that the account was being disputed and failed to mark the account(s) in dispute.
- 8.. The Defendant failed to provide a letter to the Customer within the 30 day period as required under the E-Oscar procedure guidelines as well as the requirements under the FCRA.
9. The Defendant provided erroneous and inaccurate information to the Credit reporting agencies for a period of time covered by the statute of limitations of the FCRA (two years).

10. The Defendant provided an sworn affidavit of claim and certification of amount due that is erroneous on its and conflicts with other documents from its official records and adds yet another violation which may elevate to fraud upon the consumer.
11. The Defendants own Non Monetary History Inquiry displays no record of any investigation or re-investigate being conducted in 2009 or 2010.
12. Defendant continues to violate Plaintiff's civil rights under the Fair Credit Reporting Act as outlined in the original Complaint and now has added further damage to Plaintiff by obtaining Plaintiff's credit report with false pretenses and during litigation.
13. Defendant also violated the FCRA 15 U.S.C. § 1681(g) by placing an underacted document with the Social Security Number assigned to the Plaintiff in the Public Record (See Case 6:10-cv-06244-HO Document 49 Filed 11/07/11 Page 4 of 24 Page ID#: 199)
14. Plaintiff also violated the Local Rules of the Court by filing a document without redacting the Social Security Number assigned to the Plaintiff. Besides being irresponsible it is unethical and should warrant further damage claims.

Respectfully submitted this 30th day of November, 2011.

LAWRENCE SACCATO

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THE FOLLOWING DOCUMENT
CONFIDENTIAL AND IS SUBJECT
TO A PROTECTIVE ORDER

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EXHIBIT
PEMSJ 001

PROCEDURES FOR RESEARCHING CREDIT BUREAU DISPUTES

Revolving Line of Credit and Credit Card Accounts

Purpose: To research and respond to customer's credit bureau disputes received via mailed correspondence, ACDV's (On-Line Disputes), Customer Dispute Verification (yellow forms sent by mail from the credit bureaus), faxes, telephone calls or by emails.

Regardless of the type of dispute that is received, the following is the basic steps to complete the research:

1. When a dispute is received, any identifying information that is listed within the dispute is used to look up the customer in the U.S. BANK systems or in the other public record systems (Lexis Nexis or FastData) that we have access too. Demographic information is verified to ensure the correct customer has been located, and then it is determined which account's history is being disputed - open date, balance amount, credit limit, delinquencies' etc.
2. The disputed information is then compared to the actual account history. The system information is reviewed, the notes are read, along with verifying if any other disputes have been submitted on the account in the past.
3. An update will be performed if the disputed item is actually being reported incorrectly or there was a bank error. i.e., A payment was recently made and the customer is requesting the balance amount that is being reported be updated; a misposted payment by U.S. Bank has caused a delinquency mark; the credit limit needs to be corrected due to an increase, etc.
4. If an update will be performed, the update is processed via the AUD process or via an ACDV response within E-Oscar.
5. Within 30 days of the receipt of a written dispute, regardless if there will be an update completed or the dispute is rejected, a letter is mailed or faxed to the customer explaining the outcome of the research. A letter will also be sent stating more information is required if an account cannot be located. An ACDV or an AUD response is completed on-line via E-Oscar within the 30 day FCRA requirement.
6. All documentation used in the research of the written disputes and copies of the responses are kept by U.S. Bank for 2 years on site and for 6 years off site.
7. The ACDV (E-Oscar on-line disputes) documentation is downloaded from the E-Oscar web site monthly.

** Any dispute concerning an Inquiry that was made by U.S. Bank, Elan Financial, Toyota, Lexis or PNC Bank is handled in Underwriting, New Accounts Departments or Fraud. These items are faxed, sent inner office or emailed to the appropriate Department.

If the consumer gives a partial account number or if there is no account number listed, there are several methods to search for an account number. All methods of researching should be performed in order to be certain that every effort has been made to locate an account.

PEMST 002

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1 Q. They would?

2 A. Yes.

3 Q. And the process for the associate if they
4 received a written dispute and it came in, would they make
5 a note in this screen? Would this be the appropriate area
6 that one of your associates would make note of receiving or
7 U.S. Bank receiving a dispute on this account?

8 A. If the account is not charged off, yes.

9 Q. Okay. So prior to the charge off -- prior to
10 the charge-off date, if a dispute was received, there
11 should be a notation made in this screen or one of these
12 screens, correct?

13 A. Yes. When they respond to it, they would make
14 a note.

15 Q. And can you identify where there was a dispute
16 received in these notations?

17 A. On 007, I do not see one.

18 Q. Okay. Would that only be whether a dispute
19 came from the consumer or would it be if a dispute came
20 from the CRAs as well?

21 A. It would be either.

22 Q. Both. So if E-OSCAR downloaded to U.S. Bank,
23 U.S. Bank software or -- I'm sorry -- would U.S. Bank
24 software automatically pick that up or would one of the
25 associates have to input that into the account?

USB/SACC 001323

IV Control Number	Originator	Originator	Data Furn	Queue Nar	Dispute Cc	Response	Date Sent	Date Resp	Response	Consumer	Consumer	Middle Nar	Last Name	Account Number
190111039776089	9999	EFX	US Bank	Firstier FB:	1	3	4/21/2010	4/23/2010	5/14/2010	97443	LAWRENC JAMES	SACCATO	41900403	[REDACTED]
190111039776090	9999	EFX	US Bank	Firstier FB:	1	3	4/21/2010	4/23/2010	5/14/2010	97443	LAWRENC JAMES	SACCATO	4190040	[REDACTED]
190111039776088	9999	EFX	US Bank	Firstier FB:	1	3	4/21/2010	4/23/2010	5/14/2010	97443	LAWRENC JAMES	SACCATO	4190080	[REDACTED]
190111039776087	9999	EFX	US Bank	Firstier FB:	1	1	4/21/2010	4/23/2010	5/14/2010	97443	LAWRENC JAMES	SACCATO	48334920	[REDACTED]
21454100304001N	103	TUN	US Bank	Firstier FB:	1	1	4/23/2010	4/23/2010	5/16/2010	97443	LAWRENC JAMES	SACCATO	48334920	[REDACTED]
21454100305001N	103	TUN	US Bank	Firstier FB:	1	3	4/23/2010	4/23/2010	5/16/2010	97443	LAWRENC JAMES	SACCATO	419004033	[REDACTED]
21454100306001N	103	TUN	US Bank	Firstier FB:	1	3	4/23/2010	4/23/2010	5/16/2010	97443	LAWRENC JAMES	SACCATO	419004033	[REDACTED]

PE MST 003

PE MSJ 004

JIS DEP 007

Page: 1 Document Name: untitled

ONMN [REDACTED] 00614 U.S. BANK NATIONAL ASSOCIATION ND 10/26/10
 CARDHOLDER NON MONETARY HISTORY INQUIRY 11:06 AM

TRAN CODE/ OLD DATA	DATE	OPERATOR	DESCRIPTION/ NEW DATA	PAGE	1 of 6
USR 04/21/2010	CG493000		USER ENTERED MEMO		
RECLAMATION PRODUCT CHANGE			CURRENT CHANGED FROM 05881 TO 03315		
USR 04/08/2010	CG493000		USER ENTERED MEMO		
RECLAMATION PRODUCT CHANGE			PREVIOUS CHANGED FROM 03358 TO 03352		
INT 12/01/2009	F4680AL		ALM FOR INTEREST RATE TYPE		
PN1 11/23/2009	CG392216		5 DAY LATE PAYMENT		
C79 11/20/2009	F4680TR		STATEMENT CYCLE CHANGE		
014			035		
S92 11/06/2009	SAGITTE		FORCE AND STAY IN COLLECTIONS		
080 11/06/2009	SAGITTE		CHANGE AUXILIARY STATUS (EFTS)		
W2			W2CD		

7=PAGE UP 8=PAGE DOWN 9=0091 10=0TXT

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T34L

CGPO0NMN

66

Associate would

PEMSJ005 ~~IS DELETED~~

Page: 1 Document Name: untitled

ONMN 4 [REDACTED] 00614 U.S. BANK NATIONAL ASSOCIATION ND 10/26/10
 CARDHOLDER NON MONETARY HISTORY INQUIRY 11:06 AM

TRAN CODE/ OLD DATA	DATE	OPERATOR	DESCRIPTION/ NEW DATA	PAGE	2 of 6
020	10/23/2009	DMB1805	CHANGE GENERAL INFORMATION		
020	10/17/2009	LMHONER	CHANGE GENERAL INFORMATION		
PN2	10/06/2009	CG392216	15 DAY LATE PAYMENT		
PN1	09/28/2009	CG392216	5 DAY LATE PAYMENT		
080	09/24/2009	JXROLAN	CHANGE AUXILIARY STATUS (EFTS) W2		
065 3	08/26/2009		STATUS PERMANENT RESTRAINT 5		
PN1	08/24/2009	CG392216	5 DAY LATE PAYMENT		

7=PAGE UP 8=PAGE DOWN 9=0091 10=0TXT

==> PF TRANSACTION CONTINUES

T34L

CGPOONMN

DE MSS 006

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1 MR. KAYSER: She needs to answer. I'm not
2 directing her not to answer. I'm just objecting to the
3 form of the question because it's vague and confusing to
4 me. To the extent Stephanie understands it and can address
5 it, she's free to answer it.

6 Q. (By Mr. Saccato) Maybe I'll rephrase it.

7 Does U.S. Bank under your department handle
8 reinvestigations in a different manner than they do just a
9 normal investigation, written or telephonic?

10 MR. KAYSER: There you go.

11 A. No. It would be the same process.

12 Q. (By Mr. Saccato) And under the same time
13 frame?

14 A. Yes.

15 Q. Okay. Thank you.

16 Do you know how many employees you have under
17 your supervision that handle the consumer disputes for
18 credit lines?

19 A. Ten.

20 Q. Ten. Okay. All right. Very well.

21 And do you know roughly how many disputes are
22 handled by that department on a daily basis?

23 A. On a daily basis. Somewhere under 200.

24 Q. Okay. And how many of those, Stephanie, would
25 be written, as opposed to telephonic?

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1 or Mr. Kayser chose not to supply them to me.

2 But are these E-OSCAR procedures implemented
3 into the U.S. Bank policy and procedure manual?

4 MR. KAYSER: I'm going to object to the form
5 of the question. It assumes that there is such a thing as
6 the U.S. Bank policy and procedure manual.

7 Q. (By Mr. Saccato) I'll withdraw the question.

8 Stephanie, does U.S. Bank have a policy and
9 procedure manual --

10 A. No.

11 Q. -- for the operation?

12 A. No. The procedures that we use are the ones
13 outlined in this Deposition 002 document, procedures for
14 research and credit bureau disputes.

15 Q. Correct.

16 A. As well as the E-OSCAR manuals.

17 Q. Okay. But does U.S. Bank have a policy and
18 procedure manual for its operation?

19 A. No.

20 Q. No? I'm sorry?

21 A. No.

22 Q. Okay. Let's go back to deposition Exhibit
23 No. 2. And No. 3, could you please take just a moment and
24 read No. 3 and then explain to me what this means to your
25 department.

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1 Q. Okay. This report is created by E-OSCAR,
2 correct?

3 A. Correct.

4 Q. And you're saying based upon this document
5 we're looking at, that it was -- this was generated by
6 Equifax and that's why they don't have whether it was sent
7 or not sent to them under the heading EFX?

8 A. Correct. Because it would have been responded
9 to them because they were the originator.

10 Q. Okay. So they originated the dispute and you
11 received it through E-OSCAR via this report, correct?

12 A. Correct. Well, not via this report. Via the
13 dispute process. This report is the result of the dispute
14 process.

15 Q. Okay. How were you notified by Equifax that
16 there was a dispute?

17 A. They come into our work queue.

18 Q. Could you repeat that?

19 A. Sure. It's an electronic process and they
20 come into our work queue.

21 Q. And does it come directly from Equifax?

22 A. I don't know all of the computer workings
23 behind E-OSCAR. But, yes.

24 Q. So it's like the direct access terminal?

25 A. I don't know what you mean by direct access

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1 at a queue, you've got a screen, so one of your staff
2 members has X amount of disputes, then what transpires
3 after they open your queue and review these -- these
4 disputes?

5 A. They'll have the dispute up on the E-OSCAR
6 screen, then they'll have to locate the account on U.S.
7 Bank's system and do a comparison of data between the two
8 systems. And then they should make a notation on the
9 account.

10 Q. Okay. And, again, you're saying the records
11 show all the way back to 2007, there's no notation of a
12 dispute on this particular account that we're looking at,
13 correct?

14 A. You want me to go through the 007, 008, 009;
15 is that what you're asking me to do?

16 Q. Yes, I am.

17 A. All the way through to -- I guess 009 is
18 the -- 010 is the last one, 010. No, I do not see any
19 record of dispute on those.

20 (Exhibit Nos. 8, 9 and 10 were introduced for
21 identification.)

22 Q. (By Mr. Saccato) Okay. So there's a
23 possibility then that whoever was reviewing what was
24 downloaded into the queue didn't transfer the information
25 from the queue into this -- into your database, correct?

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1 could access it at a time.

2 A. No, no. I said any number could access it at
3 one time. Then what the associate does as they're working
4 through the queue and they respond, they would notate the
5 ACDV control number into the notes.

6 Q. Okay. And am I correct on this -- on the one
7 that we were just reviewing, DEP 007, Exhibit 7, you
8 reviewed that and you went back from '07 through '10, and
9 there's no notation of a dispute in the notes; is that
10 correct?

11 A. Correct.

12 Q. So if E-OSCAR had downloaded it into U.S.
13 Bank's queue, then someone had to take it from U.S. Bank's
14 queue and transfer it to this -- to these notations for
15 this account, correct?

16 A. Our procedure would be, yes, to note the
17 control number of the response within the account.

18 Q. Correct. And we have not been able thus far
19 to identify the control number in this account, Exhibit
20 007, correct?

21 A. Correct.

22 Q. Okay. And so what is the procedure that's in
23 place if one is missed, is my question?

24 A. If one is missed and we locate it through our
25 quality review --

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1 generally speaking, we look at the information provided in
2 E-OSCAR, in the consumer's dispute, and compare it to our
3 system records.

4 Q. Okay. And if -- is there just -- how many
5 items have to compare to your system records before you
6 investigate deeper into the matter?

7 A. It depends on the type of dispute it is. So
8 if --

9 Q. If -- Go ahead. I'm sorry.

10 A. If the person is just saying I want my balance
11 updated and we can see this is the right account number,
12 it's the right name, and right social and the balance is
13 off by a payment, we'll just update it.

14 Q. In general, how many identifying factors are
15 there for it to just be a general dispute?

16 A. I don't think there's a general rule for that.
17 It depends on the nature of the dispute.

18 Q. And what in U.S. Bank's position would trigger
19 the requirement to send notification directly to the
20 consumer, as opposed to the CRAs?

21 A. We send notification directly to the consumer
22 when the communication that we received is directly from
23 the consumer.

24 Q. Okay. That's fair.

25 Now if we could go please to Deposition

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1 Where is it redacted?

2 MR. KAYSER: I have no idea. I mean there's
3 half the page I don't see. Whether it's been redacted or
4 not, I can't tell.

5 MR. SACCATO: Well, I can tell you it's not
6 redacted. All I'm asking her to identify is the very first
7 entry on the page.

8 MR. KAYSER: The very first entry on Page 10
9 of a 14-page document?

10 MR. SACCATO: Yes. Page 10 of 14 pages. All
11 right. Let me rephrase the question.

12 Q. (By Mr. Saccato) Are you aware -- Stephanie,
13 are you aware that U.S. Bank pulled a -- or accessed a
14 consumer credit report on February 1 of 2011?

15 MR. KAYSER: For you or for anyone?

16 MR. SACCATO: For me.

17 A. This document would indicate that there was a
18 preliminary review of a credit report, not a full credit
19 bureau report pull.

20 Q. (By Mr. Saccato) Okay. And how would you be
21 able to tell that, Stephanie?

22 A. Just by the inquiry itself.

23 Q. Okay.

24 A. But this is a Transunion or whoever document.
25 It's one of the credit bureau's document. And they would

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1 this, she went through all that before signing it.

2 THE WITNESS: Oh, absolutely.

3 Q. (By Mr. Saccato) Okay. And then let's see.
4 I'm just -- we're almost there. I'm just flipping through
5 a couple more. You already explained that.

6 Okay. Could you please -- Stephanie, could
7 you please explain your policies and procedures that you
8 have in effect to comply with 15 U.S.C. 1681, which is the
9 Fair Credit Reporting Act? In your training, I'm sure you
10 train the supervisors and associates, you know, the proper
11 procedures in complying with the act. You don't have
12 written policies. So I think it's fair that I just ask you
13 basically what provisions you have in place to ensure
14 compliance with the act.

15 MR. KAYSER: I'm going to object to the
16 suggestion that there isn't written policies. We just
17 talked about one earlier today.

18 MR. SACCATO: That's only on the E-OSCAR. She
19 already testified that they don't have policies in place
20 for the rest of the bank and they're totally operating
21 under the E-OSCAR policy. So how can you object when she's
22 already said they don't have a policy in place? It's
23 passed down --

24 MR. KAYSER: I think we may be splitting hairs
25 here, but Deposition Exhibit No. 2 is the procedures for

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1 Q. Had you gotten a direct dispute from the
2 consumer, it would have went through the same channels as
3 we previously discussed. It would go to -- the associate
4 would get it, they'd do an investigation, and they would
5 have reported it through the E-OSCAR system, correct.

6 A. If we were able to locate an account, correct?

7 Q. Okay. And -- Okay. And you said you don't
8 have any data file maintenance other than the E-OSCAR one.
9 So that's pretty much taken care of.

10 THE WITNESS: And I'm sorry. I'm going to
11 have day care concerns in about two minutes. I apologize.

12 MR. SACCATO: I'm sorry?

13 THE WITNESS: I'm going to have day care
14 concerns.

15 MR. KAYSER: If we can wrap this up.

16 MR. SACCATO: I'm trying to, Chris. We only
17 have three more pages. I'll go as quickly as I can.

18 Q. (By Mr. Saccato) Again, you're saying -- I
19 just really want to be clear. There's no other procedure
20 or policy manual other than the E-OSCAR manual that U.S.
21 Bank uses as of this date?

22 A. That is just in my department, no. That I'm
23 aware of, no.

24 Q. Okay. And to the best of your knowledge, you
25 produced all the documentation regarding any of my credit

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1 identifiers or my name that's in U.S. Bank's possession,
2 correct?

3 A. I believe all documents that have been
4 requested have been furnished, yes.

5 MR. KAYSER: Well, Stephanie, you're not
6 necessarily familiar with that. I would say, Larry,
7 anything that's related to you specifically, we have done a
8 reasonable search and produced the responsive documents
9 that we were able to locate.

10 MR. SACCATO: Okay. All right. Well, I think
11 that's it. But should you come up with another document,
12 I'd just like to reserve the right that I may have to talk
13 to Stephanie again. But other than that, I think we pretty
14 much went through everything. How many seconds do I have
15 left?

16 MR. KAYSER: You're right on target.

17 MR. SACCATO: I want to thank you both for
18 being patient. I just want to get everything across. And
19 I thank you both your patience.

20 THE COURT REPORTER: Signature?

21 MR. KAYSER: She'd like to -- I think I'll
22 have Stephanie look at her deposition before we finalize
23 it.

24 THE COURT REPORTER: Who gets the original?

25 MR. KAYSER: That would be Mr. Saccato.

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Civil Party Search
Sat Nov 26 19:19:22 2011
109 records found

Client: [REDACTED]

Search: Civil Party Search Name u.s. bank NOS 440 All Courts Page: 1

Party Name ▼	Court	Case	NOS	Date Filed	Date Closed
1 U.S. Bank (dft)	caedce	1:2008-cv-00207	440	02/11/2008	03/25/2008
2 U.S. Bank (dft)	candce	3:2001-cv-04444	440	11/26/2001	05/14/2002
3 U.S. Bank (dft)	candce	3:2001-cv-04443	440	11/26/2001	05/14/2002
4 U.S. Bank (dft)	candce	3:2001-cv-04442	440	11/26/2001	05/14/2002
5 U.S. Bank (dft)	candce	3:2001-cv-04440	440	11/26/2001	05/14/2002
6 U.S. Bank (dft)	candce	3:2004-cv-00897	440	03/05/2004	03/11/2004
7 U.S. Bank (dft)	nedce	8:2010-cv-00186	440	05/11/2010	06/07/2010
8 U.S. Bank (dft)	iasdce	4:2004-cv-70019	440	01/09/2004	02/05/2004
9 U.S. Bank (dft)	mndce	0:2003-cv-05168	440	09/05/2003	03/03/2004
10 U.S. Bank (dft)	mndce	0:2005-cv-02640	440	11/15/2005	07/10/2006
11 U.S. Bank (cc)	tnmdce	3:2002-cv-00681	440	07/19/2002	05/27/2005
12 U.S. Bank (dft)	tnmdce	3:2002-cv-00681	440	07/19/2002	05/27/2005
13 U.S. Bank (dft)	tnmdce	3:2003-cv-00952	440	10/15/2003	06/13/2005
14 U.S. Bank Home Mortgage (crd)	nyedce	2:2003-cv-05039	440	10/03/2003	02/17/2009
15 U.S. Bank (dft)	arwdce	2:2009-cv-02063	440	06/04/2009	03/30/2010
16 U.S. Bank (dft)	cacdce	2:2009-cv-03864	440	05/29/2009	07/31/2009
17 U.S. Bank (dft)	ilndce	1:2001-cv-00020	440	12/29/2000	01/08/2001
18 U.S. Bank (dft)	kywdce	1:2005-cv-00049	440	04/20/2005	03/22/2006
19 U.S. Bank (dft)	kywdce	3:2006-cv-00192	440	04/11/2006	12/07/2007
20 U.S. Bank (dft)	ohndce	1:2011-cv-02205	440	10/17/2011	
21 U.S. Bank N.A. (pla)	tnedce	3:2011-cv-00039	440	01/24/2011	
22 U.S. Bank (dft)	ordce	3:2009-cv-00752	440	07/01/2009	07/15/2011
23 U.S. BANK ASSOCIATION (dft)	njdce	3:2011-cv-03127	440	05/25/2011	11/14/2011
24 U.S. Bank Attorneys (dft)	kywdce	3:2007-cv-00704	440	12/19/2007	04/29/2008
25 U.S. Bank Bancorp Corporation (dft)	kywdce	1:2011-cv-00015	440	01/28/2011	03/04/2011
26 U.S. Bank Bancorp Corporation (dft)	kywdce	1:2011-cv-00117	440	07/27/2011	09/13/2011
27 U.S. Bank Bancorp Corporation (dft)	kywdce	1:2011-cv-00178	440	11/18/2011	
28 U.S. Bank National Association (pla)	cacdce	8:2011-cv-00216	440	02/07/2011	02/15/2011
29 U.S. Bank National Association (pla)	cacdce	2:2011-cv-06384	440	08/03/2011	08/15/2011
30 U.S. Bank National Association (pla)	casdce	3:2010-cv-01894	440	09/10/2010	09/15/2010
31 U.S. Bank National Association (pla)	casdce	3:2010-cv-02128	440	10/13/2010	11/29/2010
32 U.S. Bank National Association (dft)	codce	1:2001-cv-00226	440	02/07/2001	06/28/2001
33 U.S. Bank National Association (dft)	codce	1:1996-cv-02985	440	12/27/1996	07/12/1999
34 U.S. Bank National Association (pla)	codce	1:2008-cv-00770	440	04/16/2008	08/11/2008
35 U.S. Bank National Association (dft)	flmdce	6:2009-cv-01888	440	11/04/2009	01/06/2010
36 U.S. Bank Home Mortgage (dft)	nyedce	2:2003-cv-05039	440	10/03/2003	02/17/2009
37 U.S. Bank NA (dft)	azdce	2:2009-cv-00215	440	02/04/2009	06/23/2010
38 U.S. Bank National Association (pla)	candce	3:2010-cv-00484	440	02/02/2010	02/11/2010
39 U.S. Bank National Association (res)	codce	1:2003-cv-01328	440	07/23/2003	07/27/2004
40 U.S. Bank National Association (dft)	flsdce	9:2009-cv-81255	440	08/28/2009	04/13/2010
41 U.S. Bank National Association (dft)	nyedce	1:2010-cv-01937	440	04/29/2010	04/26/2011
42 U.S. Bank National Association (dft)	ordce	3:2011-cv-00989	440	08/16/2011	09/15/2011
43 U.S. Bank National Assoc. (dft)	codce	1:2007-cv-01244	440	06/14/2007	10/11/2007
44 U.S. Bank National Association (pla)	candce	3:2011-cv-04111	440	08/22/2011	10/20/2011
45 U.S. Bank National Association (pla)	gandce	1:2008-cv-00900	440	03/11/2008	03/24/2008
46 U.S. Bank National Association (dft)	iddce	1:2010-cv-00591	440	12/01/2010	
47 U.S. Bank National Association (dft)	mndce	0:2008-cv-06060	440	11/17/2008	09/23/2009
48 U.S. Bank National Association (dft)	mndce	0:2010-cv-04734	440	11/24/2010	05/17/2011
49 U.S. Bank National Association (dft)	ordce	3:2009-cv-00752	440	07/01/2009	07/15/2011
50 U.S. Bank National Association (dft)	ilndce	1:2010-cv-00573	440	01/27/2010	01/25/2011
51 U.S. Bank National Association (dft)	ilndce	1:2010-cv-05147	440	08/16/2010	
52 U.S. Bank National Association (dft)	ilndce	3:2011-cv-50240	440	08/23/2011	08/25/2011
53 U.S. Bank National Association (dft)	laedce	2:2009-cv-07384	440	11/23/2009	12/16/2010
54 U.S. Bank National Association (dft)	laedce	2:2009-cv-07383	440	11/25/2009	12/16/2010

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Description Civil Party Search

Name u.s. bank NOS 440 All Courts Page: 1

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Sat Nov 26 19:19:22 2011
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Party Name	Court	Case	NOS	Date Filed	Date Closed
55 U.S. Bank National Association (dft)	wawdce	3:2007-cv-05589	440	10/24/2007	12/27/2007
56 U.S. BANK NATIONAL ASSOCIATION AS TRUSTEE (dft)	paedce	2:2010-cv-00298	440	01/22/2010	03/03/2010
57 U.S. Bank National Association N.D. (dft)	ordce	6:2010-cv-06244	440	08/11/2010	
58 U.S. BANK NATIONAL ASSOCIATION ND (dft)	njdce	2:2006-cv-01912	440	04/24/2006	12/04/2006
59 U.S. Bank National Association, as Trustee (pla)	nmdce	1:2010-cv-00450	440	05/10/2010	12/16/2010
60 U.S. Bank, N.A. (pla)	candce	5:2010-cv-00521	440	02/04/2010	03/03/2010
61 U.S. Bank, N.A. (dft)	ordce	6:2003-cv-06178	440	07/16/2003	08/05/2004
62 U.S. Bank, N.A. (Trustee for Terwin Asset-Backed Securities, Series 2007 QHL1) (dft)	mddce	1:2011-cv-02048	440	07/22/2011	
63 U.S. Bank, N.A. Trustee for RASC 2007EMXI Trust (dft)	mddce	8:2011-cv-01623	440	06/10/2011	
64 U.S. BANK NATIONAL ASSOCIATION (dft)	paedce	2:2010-cv-00298	440	01/22/2010	03/03/2010
65 U.S. Bank National Association, Inc. (dft)	flmdce	3:2011-cv-01146	440	11/18/2011	
66 U.S. Bank of Couer d' Alene, ID (dft)	wawdce	2:2006-cv-00489	440	04/06/2006	06/20/2006
67 U.S. Bank of Idaho, N.A. (dft)	iddce	1:1996-cv-00455	440	10/15/1996	01/12/1998
68 U.S. Bank of Idaho, N.A. (dft)	iddce	4:2000-cv-00595	440	10/11/2000	10/25/2000
69 U.S. Bank of Spokane, WA (dft)	wawdce	2:2006-cv-00489	440	04/06/2006	06/20/2006
70 U.S. BANK, NA (dft)	ncmdce	1:2011-cv-00670	440	08/23/2011	
71 U.S. Bank National Association ND (pla)	flmdce	6:2010-cv-00417	440	03/18/2010	03/26/2010
72 U.S. Bank, N.A. (dft)	codce	1:2009-cv-00227	440	02/04/2009	05/11/2009
73 U.S. Bank, N.A. (dft)	ilsdce	3:2007-cv-00775	440	10/31/2007	05/09/2008
74 U.S. Bank, N.A. (dft)	mndce	0:2009-cv-00386	440	02/18/2009	08/10/2009
75 U.S. BANK, SAINT PAUL MINNISOTA (dft)	paedce	2:2003-cv-00073	440	01/07/2003	04/16/2003
76 U.S. Bankruptcy Clerk - Omaha (aty)	nedce	8:2009-cv-00298	440	08/28/2009	04/18/2011
77 U.S. Bankruptcy Clerk - Omaha (aty)	nedce	8:2009-cv-00299	440	08/28/2009	04/18/2011
78 U.S. Bankruptcy Clerk - Omaha (aty)	nedce	8:2009-cv-00300	440	08/28/2009	04/18/2011
79 U.S. Bankruptcy Clerk - Omaha (aty)	nedce	8:2009-cv-00301	440	08/28/2009	04/18/2011
80 U.S. BANKRUPTCY COURT (dft)	dcdce	1:1991-cv-02281	440	09/09/1991	09/23/1991
81 U.S. Bankruptcy Court (dft)	flmdce	2:2007-cv-00532	440	08/22/2007	09/08/2008
82 U.S. Bankruptcy Court (ip)	mddce	1:2002-cv-02523	440	07/31/2002	04/28/2004
83 U.S. Bankruptcy Court (res)	mddce	1:1996-cv-01709	440	06/01/1996	09/03/1996
84 U.S. Bankruptcy Court (ip)	nedce	8:2009-cv-00298	440	08/28/2009	04/18/2011
85 U.S. Bankruptcy Clerk - Omaha (aty)	nedce	8:2005-cv-00457	440	09/27/2005	12/02/2010
86 U.S. Bankruptcy Court (ip)	nedce	8:2004-cv-00377	440	08/12/2004	05/11/2006
87 U.S. Bankruptcy Court (ip)	nedce	8:2005-cv-00457	440	09/27/2005	12/02/2010
88 U.S. Bankruptcy Court (dft)	nvdce	2:2002-cv-00534	440	04/12/2002	11/12/2002
89 U.S. Bankruptcy Court (dft)	vaedce	3:1997-cv-00808	440	10/24/1997	06/11/1998
90 U.S. BANKRUPTCY COURT, READING, PA (dft)	paedce	2:2009-cv-03208	440	07/13/2009	01/27/2010
91 U.S. Bankruptcy Judge Kennedy (dft)	tnedce	3:2007-cv-00054	440	02/14/2007	04/19/2007
92 U.S. Bank (pla)	ilndce	1:2007-cv-01075	440	02/23/2007	11/08/2007
93 U.S. Bank, N.A. (dft)	kywdce	1:2007-cv-00207	440	12/21/2007	02/05/2010
94 U.S. Bank, N.A. (dft)	lamdce	3:2008-cv-00186	440	03/31/2008	06/16/2008
95 U.S. Bank (dft)	nedce	8:1999-cv-00391	440	09/22/1999	06/11/2001
96 U.S. Bankruptcy Court (ip)	nedce	8:2009-cv-00299	440	08/28/2009	04/18/2011
97 U.S. Bankruptcy Court (ip)	nedce	8:2009-cv-00300	440	08/28/2009	04/18/2011
98 U.S. Bankruptcy Court (ip)	nedce	8:2009-cv-00301	440	08/28/2009	04/18/2011
99 U.S. BANKRUPTCY COURT (dft)	paedce	2:2008-cv-03608	440	07/14/2008	08/06/2008
100 U.S. BANKRUPTCY COURT (dft)	pawdce	2:2007-cv-01288	440	09/24/2007	03/09/2009
101 U.S. Bankruptcy Court John or Jane Doe Deputy Clerk (dft)	ohndce	1:1996-cv-01068	440	05/22/1996	01/09/1997
102 U.S. Banks (dft)	kywdce	1:2007-cv-00027	440	02/13/2007	09/13/2007
103 U.S. Bankcorp (dft)	ordce	6:2010-cv-06244	440	08/11/2010	
104 U.S. Bankruptcy Clerk - Omaha (aty)	nedce	8:2004-cv-00377	440	08/12/2004	05/11/2006
105 U.S. Bankruptcy Court District of Nevada (dft)	nvdce	2:2010-cv-02105	440	12/03/2010	02/08/2011
106 U.S. BANKRUPTCY COURT EASTERN DIVISION (dft)	paedce	2:2011-cv-02953	440	04/28/2011	05/06/2011
107 U.S. Banks (dft)	kywdce	1:2008-cv-00101	440	07/14/2008	05/15/2009
108 U.S. Banks (dft)	kywdce	3:2010-cv-00457	440	06/30/2010	08/20/2010

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Description Civil Party Search
Name u.s. bank NOS 440 All Courts Page: 2
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Larry Saccato <ljsaccato@gmail.com>

2011.11.20 Defendants Motion to Stay Discovery.docx

Chris Kayser <cjkayser@larkinsvacura.com>

Mon, Nov 21, 2011 at 9:38 AM

To: Larry Saccato <ljsaccato@gmail.com>

Larry – that sounds like a reasonable compromise. I'll revise the Motion to note that it is unopposed and is only applying to further the depositions. I'll let you look at the redraft before it is filed. As far as the interrogatories and admissions are concerned, we will answer those but I can tell you that it was my mistake not to redact the social security number and account number. It was completely inadvertent and I apologize for the mistake.

From: Larry Saccato [mailto:ljsaccato@gmail.com]

Sent: Monday, November 21, 2011 8:52 AM

To: Chris Kayser

Subject: Re: 2011.11.20 Defendants Motion to Stay Discovery.docx

[Quoted text hidden]

PE MSS 019



Larry Saccato <ljsaccato@gmail.com>

Violation of thePacer e-file rules and FRCP 5.2

Larry Saccato <ljsaccato@gmail.com>

Tue, Nov 8, 2011 at 1:47 PM

To: pacer@psc.uscourts.gov, jill_wright@ord.uscourts.gov, Chris Kayser <ckayser@larkinsvacura.com>, Larry Saccato <ljsaccato@gmail.com>

To all concerned parties:

I would like to make official notice and file an official complaint against Christopher Kayser, of Larkin & Vacura, a Portland Oregon Law Firm pursuant to Pacers own -e-filing guidelines, policies and precedures and Federal Rules of Civil Procedure Rule 5.

Rule 5.2. Privacy Protection For Filings Made with the Court

(a) Redacted Filings.

Unless the court orders otherwise, in an electronic or paper filing with the court that contains an individual's social-security number, taxpayer-identification number, or birth date, the name of an individual known to be a minor, or a financial-account number, a party or nonparty making the filing may include only:

- (1) the last four digits of the social-security number and taxpayer-identification number;
- (2) the year of the individual's birth;
- (4) the last four digits of the financial-account number.

The exact location of the violation of placing nu-redacted information into the public preview is:
"Case 6:10-cv-06244-HO Document 49 Filed 11/07/11 Page 4 of 24 Page ID#: 199"

Regards,

Larry Saccato.
ljsaccato@gmail.com
